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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,370	12/03/2003	Satoshi Shahana	SN-US035136	3129
22919	7590	05/18/2006	EXAMINER	
GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			JOHNSON, VICKY A	
			ART UNIT	PAPER NUMBER
			3682	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/725,370	Applicant(s) SHAHANA ET AL.	
	Examiner Vicky A. Johnson	Art Unit 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 5-8, 21-24, 33 and 36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-20, 25-32, 34 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I Figures 1-14 in the reply filed on February 28, 2006 is acknowledged. Claims 5-8, 21-24, 33, and 36 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-4, 9-20, 25-32, 34, and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 15, the limitation first cable support surface and second cable pressing surface makes it unclear whether or not there is a second cable support surface and first cable pressing surface.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 9-14, 34 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Swager (US 4,59,871).

Swager discloses a device comprising: a support member (10, 12) with a first cable engagement surface (38); and a cable fixing member (20) non-threadedly supported on said support member to rotate about a rotation axis, said cable fixing member having a second cable engagement surface (50), said cable fixing member and said support member being arranged and configured such that an inner wire (48) is secured between said first and second cable engagement surfaces in response to rotational movement of said cable fixing member to a cable fixing position from a cable release position (see Figs 4 and 5).

Re claims 2 and 34, said cable fixing member (20) includes a cam portion (40) rotatably supported by said support member and an elongated lever portion (21) extending radially outwardly from said cam portion relative to said rotation axis (see Fig 2), said cam portion having said second cable engagement surface (50).

Re claim 3, said support member includes a base portion adapted to be coupled to the bicycle component (coupled through the wire) and a pair of axially spaced mounting portions (54) extending from said base portion with said cam portion of said cable fixing member rotatably supported between said mounting portions (see Fig 2).

Re claims 4 and 35, said cam portion includes a pair of axial end surfaces (see Fig 5) and a peripheral cam surface concentrically arranged relative to said rotation axis and extending between said axial end surfaces (see Figs 5 and 6), and said base portion includes a peripheral retaining surface disposed relative to said peripheral cam surface to retain said cable fixing member relative to said support member when in said

cable fixing position and the inner wire is retained between said support member and said cable fixing member See Fig 4).

Re claim 9, at least one of said mounting portions includes an axial retaining surface forming said first cable engagement surface and disposed opposite to one of said axial end surfaces, which forms said second cable engagement surface, said axial retaining surface being spaced from said axial end surface by a distance to squeeze the inner wire therebetween (see Figs 4 and 5).

Re claim 10, said peripheral cam surface is configured and arranged to contact said peripheral retaining surface when said cable fixing member is located in said cable fixing position to frictionally prevent movement of said cable fixing member about said rotation axis (see Fig 5).

Re claim 12, said cam portion is freely rotatably mounted on a pivot pin (22) that extends between said mounting portions of said support member.

Re claim 13, each of said mounting portions of said support member includes an axial retaining surface disposed opposite to one of said axial end surfaces of said cam portion, said axial retaining surfaces forming said first cable engagement surface and said axial end surfaces forming said second cable engagement surface (see Fig 4).

Allowable Subject Matter


6. Claims 11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6217. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Vicky A. Johnson
Primary Examiner
Art Unit 3682
5/15/06